



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/935,287

08/22/2001

Joshua M. Kopelman

P23305-A USA

9679

7590 05/18/2007  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950

EXAMINER

O'CONNOR, GERALD J

ART UNIT

PAPER NUMBER

3627

MAIL DATE

DELIVERY MODE

05/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## OFFICE ACTION

### *Termination of Proceedings in Response to Board Decision on Appeal*

1. The period for seeking court review of the decision rendered by the Board of Patent Appeals and Interferences on February 28, 2007 has expired and no further action has been taken by appellant. The proceedings as to rejected claims 1, 2, 6, 7, and 11-13 are considered terminated. See 37 CFR 1.197.

### *Disposition of Incomplete Dependent Claims*

2. Claims 3-5, 8-10, 21, and 22 are objected to as incomplete because the rejected claim(s) on which they depend has/have been cancelled by the examiner in accordance with MPEP §1214.06. Applicant is given a **ONE (1) MONTH TIME LIMIT** from the mailing date of this letter in which to present each of dependent claims 3, 9, and 10 in independent form, including all of the limitations of the base claim and any intervening claim(s).

**NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED.**

Failure to comply with this deadline will result in cancellation of claims 3-5, 8-10, 21, and 22 and the application will be allowed with claim(s) 23-32. See MPEP § 1214.06(II)(B).

Prosecution is otherwise closed.

***Conclusion***

3. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, **Jerry O'Connor**, whose telephone number is **(571) 272-6787**, and whose facsimile number is **(571) 273-6787**.

Official replies to this Office action may now be submitted electronically by registered users of the EFS-Web system. Information on EFS-Web tools is available on the Internet at: <http://www.uspto.gov/ebc/portal/tools.htm>. An EFS-Web Quick-Start Guide is available at: <http://www.uspto.gov/ebc/portal/efs/quick-start.pdf>.

Alternatively, official replies to this Office action may still be submitted by any *one* of fax, mail, or hand delivery. **Faxed replies should be directed to the central fax at (571) 273-8300.** Mailed replies should be addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450." Hand delivered replies should be delivered to the "Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314."

GJOC

May 14, 2007

 5/14/07

Gerald J. O'Connor  
Primary Examiner  
Group Art Unit 3627